

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

Claims 11 and 12 are currently being cancelled.

Claims 8, 21, 26, 27, 39 and 32 are currently being amended. Presently pending independent claim 8 now includes the features of “now canceled” claim 11 and modified features of “now canceled” claim 12, and independent claim 21 now includes features similar to presently pending claim 8.

No claims are currently being added.

This amendment and reply amends and cancels claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending and canceling the claims as set forth above, claims 8-10 and 13-34 are now pending in this application.

Claim Rejections – Double Patenting:

In the Office Action, claims 10, 23, 26, 29 and 32 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 6 and 8 of U.S. Patent Application No. 11/030,061. In reply, the Section 804 of the M.P.E.P. states that “If a “provisional” nonstatutory obviousness-type double patenting (ODP) rejection is the only rejection remaining in the earlier filed of the two pending applications, while the later-filed application is rejectable on other grounds, the examiner should withdraw that rejection and permit the earlier-filed application to issue as a patent without a terminal disclaimer.” As this application is the earlier-filed application, then it is respectfully requested that, assuming that all of the other rejections raised in this application have been overcome, the double patenting rejection be withdrawn, in accordance with the M.P.E.P.

Claim Rejections – Indefiniteness:

In the Office Action, claims 26-34 were rejected under 35 U.S.C. § 112, 2nd paragraph, for the reasons set forth on pages 4 and 5 of the Office Action. In reply, claims 26, 29 and 32 have been amended to overcome this rejection by removing the allegedly indefinite language from those claims.

Claim Rejections – Prior Art:

In the Office Action, claims 8 and 21 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication 006396032 to Ikegami; claims 8-24, 26, 27 and 29-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication 006484028 to Okada et al. in view of U.S. Patent Publication 005706428 to Boer; and claim 28 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada et al. in view of Boer and further in view of U.S. Patent Publication 20050223115 to Hanson. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

In presently pending independent claims 8 and 21, three different elements: a “terminal device”, an “another terminal”, and a “source terminal” are recited, whereby the “source terminal” is connected to the “first network” and transmits packets through the “first network”. Please note that the “first network” is the same network which the “another terminal” uses for receiving packets.

In contrast, in Okada, the “terminal 5” referred to in the Office Action as the claimed “source terminal” is NOT connected to the “satellite network” referred to in the Office Action as the claimed “first network.” Rather, it is connected to the “Internet” instead (see Figure 3 and column 6, lines 45-47 of Okada). Thus, Okada discloses that the “terminal 5” is connected to the “center 3” via the Internet 4, but does not teach or suggest that the “terminal 5” is connected to the “satellite network 6, 7.” That is, the “terminal 5” in Okada does not have a function to transmit and receive data to and from the “satellite network 6, 7.” According, the “terminal 5” of Okada cannot correspond to the “source terminal” (as recited in claims 8 and 21) that is connected to the “first network” and that transmits packets through

the “first network.” Therefore, Okada does not disclose or suggest every feature of claims 8 and 21, and accordingly those claims are not anticipated by Okada.

With respect to the non-obviousness rejection of independent claims 26, 29 and 32 based in part on the teachings of Okada, the Office Action interprets the “user center 3” of Okada as both the “terminal” and the “second terminal” of the present invention (both of the “first terminal” and the “second terminal” of claim 32, applied hereinafter), because the “user center 3” has the same functions as both the “terminal” and the “second terminal”.

However, the “terminal” and the “second terminal” are connected to each other by a “third network” as recited in independent claims 26, 29 and 32, and Okada does not disclose, teach or suggest that units supposedly corresponding to the “terminal” and the “second terminal” of claims 26, 29 and 32 are connected to each other by the “Internet 4” inside of the “user center 3” of Okada. Rather, Okada teaches away from connecting units inside of the “user center 3” by the “Internet 4 (i.e., Internet)”, because the “user center 3” is a single device. Clearly, it is not obvious for a person skilled in the art to connect units inside a single device to each other by the Internet.

Therefore, the “user center 3” of Okada cannot correspond to both the claimed “terminal” and the “second terminal” as recited in independent claims 26, 29 and 32.

Therefore, since Boer does not rectify these deficiencies of Okada, independent claims 8, 26, 29 and 32 are patentable over the combined teachings of those two references (whereby the comments provided above with respect to the anticipation rejection of claim 8 also apply to the non-obviousness rejection of claim 8 based on the combination of Okada and Boer). It is also noted that Hanson, which is applied against claim 28, also does not rectify these deficiencies of Okada.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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